

REMARKS

Claims 1-10 and 12-24 remain pending in this patent application. Claims 8-10, drawn to a non-elected species, stand withdrawn from consideration under 37 CFR § 1.142(b).

In this paper, Applicant has amended claims 1, 2 and 3. In particular, the amendments to claims 1, 2 and 3 recite the narrowing of the toe-heel width of the face plate and the sole plate in the direction toward the lower edge of the face plate, where the face plate and the sole plate are joined. That is, if the joined face plate and sole plate were laid out flat, a "waist" would be seen at their juncture. Because of the waist, the bending rigidity of the connection between the face plate and the sole plate is reduced, much as it is when a slot is provided along the front edge of the sole plate. Support for the amendments to claims 1, 2 and 3 can be found, for example, in original drawing Figs. 1 and 3.

A ALLOWABLE SUBJECT MATTER

Applicant notes with appreciation the Examiner's recognition of allowable subject matter in claim 12. Applicant submits that claims 17/12, 18/12, 19/12, 21/12, 22/12, 23/12 and 24/12 are allowable along with parent claim 12. For reasons presented below, Applicant submits that claims 1-7, 13-16, 17/3, 18/3, 19/3, 20, 21/3, 22/3 and 23/3 are also allowable.

PRIOR ART REJECTION I

Claims 2, 4, 6, 16, 17, 19 and 24 were rejected under 35 USC § 102(e) as being anticipated by US 6984181 B1 (Hettinger et al.). Since claim 3 is mentioned in the body of the rejection, Applicant is treating this rejection as having been also applied to claim 3. Applicant traverses this rejection.

Hettinger et al. discloses a golf putter head formed by a metal body 22 and a non-metal crown portion 24. As shown, for example, in Figs. 1 and 2, the metal body is cup-shaped, with an upstanding ribbon wall 28 joined to toe and heel ends of the front wall, or striking face, 30 and extending about the rear of the putter head.

As shown in Fig. 18 of Hettinger et al., tube 38, which receives a shaft, is formed integrally with the striking face 30. Tube 38 is not connected to the metal component only at the

sole plate, as required by claim 2, and is not formed separately from the metal component, as required by claim 3. Also, the face plate and the sole plate in the Hettinger et al. putter head cannot be reasonably characterized as having a toe-heel narrowing toward the lower edge of the face plate as required by claims 2 and 3.

In view of the foregoing observations, Applicant submits that the disclosure in Hettinger et al. cannot properly serve as a basis for rejecting independent claims 2 and 3 and dependent claims 4, 6, 16, 17, 19 and 24 under 35 USC § 102(e).

PRIOR ART REJECTION II

Claims 1-7, 16-20 and 24 were rejected under 35 USC § 103(a) as being unpatentable over US 6623378 B2 (Beach et al.) in view of US 6332847 B2 (Murphy et al.) and US 1269745 (Robertson). Applicant traverses this rejection.

In all of the disclosed embodiments of the Beach et al. club head, the hosel 16 is formed integrally with the strike plate 12. Despite this consistent disclosure, the Examiner states that Beach et al. "does not limit the hosel to be connected at the striking face." Applicant submits that the Beach et al. disclosure provides no basis whatsoever for the Examiner's contention. Applicant also observes that the face plate and the sole plate in the Beach et al. club head cannot be reasonably characterized as having a toe-heel narrowing toward the lower edge of the face plate as required by amended claims 1-3.

The Examiner cites Murphy et al. for its disclosure of a hollow club head with a tubular part that is connected to the metal component only at the sole. The Examiner contends that Murphy's disclosure would have made obvious a modification of the Beach et al. club head so that the hosel is connected to only the sole plate. Applicant submits that the Examiner's proposed modification of the Beach et al. club head is at odds with the clear and consistent disclosure in Beach et al. of having the hosel formed integrally with the strike plate.

The Examiner cites Robertson as disclosing a sole plate that can vary in thickness for adjusting the weight of the club head. The Examiner contends that it would have been obvious in view of the Robertson disclosure to modify the sole plate of the Beach et al. club head so that it has a thickness that varies.

Robertson discloses a varying thickness sole plate fastened by screws to the bottom of a solid wood club head. Applicant submits that the Robertson disclosure would not find obvious application to a technologically advanced metal/resin hollow club head such as the one disclosed by Beach et al.

Applicant also notes that the disclosures in Murphy et al. and Robertson offer no remedy whatsoever for deficiencies of the Beach et al. club head vis-à-vis the requirements of amended claims 1-3 for toe-heel narrowing of the face plate and the sole plate.

In view of the foregoing observations, Applicant submits that no reasonable combination of the disclosures in Beach et al., Murphy et al. and Robertson can properly serve as a basis for rejecting any of claims 1-7, 16-20 and 24, as now presented, under 35 USC § 103(a).

PRIOR ART REJECTION III

Claims 13-15 and 21-23 were rejected under 35 USC § 103(a) as being unpatentable over Beach et al. in view of Murphy et al. and Robertson and further in view of JP 9-253242 (JP '242). Applicant traverses this rejection.

The Examiner cites JP '242 for its disclosure of a club head having a "specific gravity depth" of 25-50 mm and a sweet spot with a location related to the height of the club face. The Examiner contends that it would have been obvious to modify the proposed Beach et al.-Murphy et al.-Robertson club head "to have a specific gravity depth and sweet spot height of that taught by Yamaguchi [JP '242] in order to improve engine performance."

Without acquiescing in the Examiner's proposed combination of teachings in Beach et al., Murphy et al., Robertson and JP '242, Applicant observes that the JP '242 disclosure cannot remedy deficiencies in the Beach et al., Murphy et al. and Robertson disclosures vis-à-vis the clear requirements of parent claims 1-3, as pointed out above.

In view of the foregoing observations, Applicant submits that no reasonable combination of the disclosures in Beach et al., Murphy et al., Robertson and JP '242 can properly serve as a basis for rejecting any of claims 13-15 and 21-23 under 35 USC § 103(a).

CLAIMS TO NON-ELECTED EMBODIMENTS

In the discussions above, Applicant has shown that claims 1-3 are allowable. Claim 1 is generic to the non-elected species illustrated in Figs. 9 and 10 and the species illustrated in Fig. 12. Claims 2 and 3 are generic to all of the species identified by the Examiner in the Requirement for Restriction dated July 20, 2005. In view of the allowability of claims 1, 2 and 3, Applicant submits that claims 8-10 should now be recognized as allowable along with their parent claims under 37 CFR § 1.141(a).

CONCLUSION

In view of the amendments, observations and arguments presented herein, Applicant respectfully requests that the Examiner reconsider and withdraw the rejections stated in the outstanding Office Action and recognize all of the pending claims as allowable.

If unresolved matters remain in this application, the Examiner is invited to contact Frederick R. Handren, Reg. No. 32,874, at the telephone number provided below, so that these matters can be addressed and resolved expeditiously.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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